

Summary of Selected Legislation enacted by the 83rd Legislature, Regular Session
6/3/2013

HB 12 by Flynn - requires a state agency to post on the agency's website information regarding any gifts or donations used for staff salary supplements as well as other information related to appropriations, staff or salaries.

HB 16 by Flynn - requires a state agency to post on the agency's website its internal auditor's audit plan, annual report and other audit information as required by the State Auditor's office

HB 194 by Farias - adds disabled veterans who have suffered at least a 20 percent service-connected disability to the definition of an "economically disadvantaged person" for the purpose of identifying a historically underutilized business (HUB).

HB 424 by Burkett - requires directors of group homes to notify residents or legal guardians of residents if a registered sex offender becomes a resident at the group home.

HB 431 by Riddle - allows the Board of Pardons and Paroles (BPP) to set off an inmate's reconsideration for parole for up to five years if they have been convicted of a second or third degree felony for injuring a child, elderly person or disabled person.

HB 480 by Alvarado - permits state employees to use up to eight hours of sick leave each fiscal year to attend educational activities of their children, including parent/teacher conferences.

HB 485 by Davis, S. - extends a concealed weapon license fee discount to honorably discharged veterans, members of the Texas military forces and TDCJ correctional officers.

HB 586 by Workman - waives sovereign immunity for the state related to a breach of contract for engineering, architectural or construction services, or for materials related to those professional services.

HB 634 by Farias - requires TDCJ to verify the veteran status of an inmate by using data made available through the Health and Human Services Commission as part of the Public Assistance Reporting Information System. Once identified, TDCJ would be required to assist those inmate veterans in applying for federal benefits for which they will be eligible under a program sponsored by the United States Department of Veteran Affairs.

HB 797 by Thompson - requires Windham School District (WSD) to inform an eligible offender in writing, prior to enrolling in a district vocational training program, of certain information, such as the rules or policies of a state agency that would impose any restriction on their obtaining a certificate or license with the vocational training program

and the number of offenders who have completed a district vocational training program over the past three years.

HB 799 by Thompson - requires WSD to continually assess job markets in the state and tailor the vocational training programs as necessary to provide relevant and marketable skills.

HB 899 by Perry - expands the list of rights to which a victim of a capital felony or the victim's guardian or relative is entitled to include contact by a victim outreach specialist and the designation of a victim service provider to act as a liaison between the victim and the defense.

HB 1128 by Herrero - requires large state agencies with 1,500 or more full-time equivalent employees to allow an employee to submit on-line suggestions regarding how to make the agency more cost-efficient.

HB 1188 by Thompson - prohibits a cause of action from being brought against an employer, general contractor, premises owner or third party based solely on evidence that an employee has been convicted of an offense.

HB 1302 by Clardy - expands life without parole to include additional sexually violent offenses committed against a child and prohibits certain sex offenders from some types of employment.

HB 1632 by Fletcher - makes the date of birth of TDCJ employees confidential (also applies to certain other public employees and officials). The bill also makes confidential the residential address they submit on a voter registration application (contingent upon them notifying the registrar of their employee status).

HB 1790 by Longoria - allows a judge, in certain circumstances, to modify the record of offenders sentenced to probation for a state jail felony to instead reflect a Class A misdemeanor conviction.

HB 2155 by Callegari - changes the definition of a dependent related to eligibility for the state's Group Benefits Program, specifically for the coverage of a child that is mentally or physically incapacitated, so that a child whose coverage had previously lapsed is now eligible.

HB 2719 by Guillen - requires TDCJ to collect and report information concerning the number of inmates who have been in the conservatorship of a state agency responsible for providing child protective services. The bill also requires the Parole Division and the Reentry and Integration Division to prepare an annual report that includes specified information about TDCJ's parole, reentry and integration efforts.

HB 2895 by Bonnen, D. - requires the Texas Board of Criminal Justice (TBCJ), not later than January 1, 2014, to sell and provide easements on approximately 183 acres of specified land to Brazoria County. The land is presently used as pastureland for grazing purposes.

SB 213 by Whitmire - the TDCJ sunset bill, continues TDCJ and TBCJ until September 1, 2021. The bill also revises statutes dealing with the Correctional Managed Health Care Committee (CMHCC), BPP and WSD. Revisions relating to TDCJ include:

- requiring TDCJ Correctional Institutions Division facilities to establish a case management committee to assess each inmate to ensure they are receiving appropriate services or participating in appropriate programs;
- requiring TDCJ to finalize a comprehensive plan to reduce recidivism and ensure the successful reentry and reintegration of offenders into the community;
- requiring TDCJ to adopt a standardized risk and needs assessment instrument which will be made available to the community supervision and corrections departments (CSCDs);
- requiring TDCJ to expand the existing reentry task force;
- expanding the membership of the CMHCC to include representatives of additional medical schools as well as licensed mental health professionals;
- transferring certain CMHCC responsibilities to TDCJ, and clarifying TDCJ may contract with any entity to implement the managed health care plan;
- requiring TDCJ to submit quarterly reports to the Legislative Budget Board and the governor regarding health care expenditures and utilization;
- requiring TDCJ to modify the individualized treatment plan to include additional information such as more assessment results and volunteer program participation;
- requiring TDCJ's Community Justice Assistance Division (CJAD) to ensure grant procedures contain certain goals, criteria and processes, including an appeals process;
- requiring CJAD to seek input from the CSCDs, the Judicial Advisory Council and other relevant interest groups regarding the feasibility of adopting performance-based standards, and to prepare a report containing recommendations; and
- requiring TDCJ's Victim Services Division, in consultation with the BPP, law enforcement agencies and other participants in the criminal justice system, to develop recommendations to ensure the victim impact statement is submitted to TDCJ.

SB 345 by Whitmire - abolishes the state boot camp program and requires periodic reporting to the TBCJ regarding volunteer and faith-based programs at TDCJ units.

SB 358 by Hinojosa - prohibits a court or parole panel from relying solely on the uncorroborated results of a polygraph examination for adjudication of guilt or a revocation decision.

SB 391 by West - clarifies a defendant's obligation to pay judge-ordered fines and court costs after the expiration of the defendant's term of community service.

SB 727 by Taylor - adds burglary of a habitation with the intent to commit certain felony sex offenses to the list of offenses for which a defendant is ineligible for judge-ordered community supervision, and which require a defendant to serve half of their sentence (or thirty calendar years, whichever is less) before becoming parole eligible.

SB 1003 by Carona - requires the Criminal Justice Legislative Oversight Committee to appoint an independent third party to review the use of adult and juvenile administrative segregation.

SB 1157 by Schwertner - requires the TBCJ to convey approximately 78.8 acres to the Board of Regents at the Texas State University System for use by Sam Houston State University. The land is currently used as pastureland.

SB 1173 by West - allows a judge, in certain circumstances involving defendants convicted of a state jail felony, to order a sentence of incarceration followed by a term of community supervision. The bill would also require TDCJ to adopt policies and procedures to allocate 30 percent of the cost savings to CSCDs.

SB 1192 by Davis, W. - in cases involving sexual assault, entitles the victim, guardian of a victim or a close relative of a deceased victim to request information regarding evidence, AIDS and HIV counseling and testing as well as a forensic medical examination. Also provides for notifying the victim of the rights described by this bill.

SB 1297 by Watson - permits a governmental body to create a publicly-viewable on-line message board for use by board and commission members, allowing them to communicate with one another regarding policy matters or official business.

SB 1459 by Duncan - changes state employee retirement benefits for individuals hired on or after September 1, 2013, and changes the state's contribution for retiree health insurance for employees who do not have five years of service credit on September 1, 2014. In order to maintain existing retirement benefits for current employees, state and employee contributions to the retirement program are increased, and agencies are required to make contributions as well.

Note the Governor generally has until June 16th to sign, veto or let legislation become law without his signature.